

File Number: 2004-0766 No. 04-30

# NOTICE OF INTENT TO ADOPT NEGATIVE DECLARATION

E11984

This form is provided as a notification of intent to adopt a Negative Declaration which has been prepared in compliance with the provisions of the California Environmental Quality Act of 1970, as amended, and Resolution #118-04.

## PROJECT TITLE:

Application for a Use Permit filed by The French American School

## PROJECT DESCRIPTION AND LOCATION (APN):

Application for a Use Permit on a 9.4-acre site to allow the installation of modular buildings totaling 3,360 square feet. The property is located at **1522 Lewiston Drive** in a P-F (Public Facility) Zoning District. (APN: 323-26-001)

## WHERE TO VIEW THIS DOCUMENT:

The **Negative Declaration**, its supporting documentation and details relating to the project are on file and available for review and comment in the Office of the Secretary of the Planning Commission, City Hall, 456 West Olive Avenue, Sunnyvale.

This **Negative Declaration** may be protested in writing by any person prior to **5:00 p.m. on Tuesday, November 2, 2004**. Such protest shall be filed in the Department of Community Development, 456 W. Olive Avenue, Sunnyvale and shall include a written statement specifying anticipated environmental effects which may be significant. A protest of a **Negative Declaration** will be considered by the adopting authority, whose action on the protest may be appealed.

## **HEARING INFORMATION:**

A public hearing on the project is scheduled for:

Monday, November 8, 2004 at 8:00 p.m. by the Planning Commission in the Council Chambers, City Hall, 456 West Olive Avenue, Sunnyvale.

## **TOXIC SITE INFORMATION:**

(No) listed toxic sites are present at the project location.

Circulated On October 13, 2004

Signed

Trudi Ryan, Planning Officer

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PLANNING DIVISION CITY OF SUNNYVALE P.O. BOX 3707 SUNNYVALE, CALIFORNIA 94088-3707

E11984

## **NEGATIVE DECLARATION**

This **Negative Declaration** has been prepared in compliance with the provisions of the California Environmental Quality Act of 1970, as amended, and Resolution #118-04.

## PROJECT TITLE:

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## PROJECT DESCRIPTION AND LOCATION (APN):

Application for a Use Permit on a 9.4-acre site to allow the installation of modular buildings totaling 3,360 square feet. The property is located at **1522 Lewiston Drive** in a P-F (Public Facility) Zoning District. (APN: 323-26-001)

## FINDINGS:

The Director of Community Development of the City of Sunnyvale, California, hereby determines that an environmental impact report is not required. There are sufficient environmental controls incorporated into the zoning regulations to ensure no significant detrimental effect.

The above determination is based upon the initial study conducted in this matter; information provided by the applicant in an "Application for Environmental Finding" that the use is in keeping with and not in conflict with the adopted General Plan, Zoning Ordinance and Subdivision Ordinance. The use is specifically permitted by a Use Permit and site and architectural control will be exercised over the proposed development by the Planning Commission.

This **Negative Declaration** may be protested in writing by any person prior to **5:00 p.m. on Tuesday, November 2, 2004**. Such protest shall be filed in the Department of Community Development, 456 W. Olive Avenue, Sunnyvale and shall include a written statement specifying anticipated environmental effects which may be significant. A protest of a Negative Declaration will be considered by the adopting authority, whose action on the protest may be appealed.

Circulated On October 13, 2004	Signed: Me Mall Signed: Trudi Ryan, Planning Officer
Adopted On	Verified: Trudi Ryan, Planning Officer

File Number: 2004-0766 No. 04-30



# California Department of Fish and Game CERTIFICATE OF FEE EXEMPTION

De Minimis Impact Finding

E11984

## PROJECT TITLE/LOCATION (INCLUDE COUNTY):

The **Use Permit** is located on **1522 Lewiston Drive**, City of Sunnyvale, County of Santa Clara in a P-F (Public Facility) Zoning District. (APN: 323-26-001)

## **PROJECT DESCRIPTION:**

Application for a Use Permit on a 9.4-acre site to allow the installation of modular buildings totaling 3,360 square feet.

## **FINDINGS OF EXEMPTION:**

- 1. This project is in an urban setting.
- 2. There is no alteration of land or effect on fish or wildlife.

## **CERTIFICATION:**

I hereby certify that the public agency has made the above finding and that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

Trudi Ryan

Title: Planning Officer, Community Development

Lead Agency: City of Sunnyvale

Date: October 13, 2004

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City of Sunnyvale
Department of Community Development
Planning Division
P.O.Box 3707 Sunnyvale, CA 94088-3707

# INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM Appendix G, CEQA Guidelines

1.	Project Title:	Cupertino Union School District/The French American School
2.	Lead Agency Name and Address:	City of Sunnyvale, Community Development Department, Planning Division
3. 4.	Contact Person and Phone Number: Project Location:	Gerri Caruso 408 730-7591 1522 Lewiston Drive, Sunnyvale, CA
5.	Project Sponsor's Name and Address:	Cupertino Union School District 10301 Vista Drive Cupertino, CA 95014
6.	General Plan Designation:	School
7.	Zoning:	Public Facility
8.	Description of the Project: Application modular buildings totaling 3,360 square	for a Use Permit on a 9.4 acre site to allow the installation of feet.
9.	Surrounding Land Uses and Setting: (Briefly describe the project's surroundings)	Single family residential
10.	Other public agencies whose approval is required (e.g. permits, financing approval, or participation agreement).	

For (Lead Agency)

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Printed Name

Project #: 2004-0766
Project Address: 1522 Lewiston Drive
Applicant: Cupertino Union School District

E11984

## **ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked limpact that is a "Potentially Significa					
☐ Aesthetics		Hazards & Hazardous Materials		Public Ser	vices
☐ Agricultural Resources		Hydrology/Water Quality		Recreation	٦
☐ Air Quality		Land Use/Planning		Transporta	ation/Traffic
☐ Biological Resources		Mineral Resources		Utilities/Se	ervice
☐ Cultural Resources		Noise			/ Findings of
Geology/Soils		Population/Housing		Significan	ce
DETERMINATION: (To be completed On the basis of this initial evaluation:  I find that the proposed project COULD NOT DECLARATION will be prepared.	·		t, and a	NEGATIVE	
I find that although the proposed project could a significant effect in this case because revisit project proponent. A MITIGATED NEGATIVE	ons in th	e project have been made by or ag			
I find that the proposed project MAY have a s ENVIRONMENTAL IMPACT REPORT is requ		t effect on the environment, and ar	n		
I find that the proposed project MAY have a "; mitigated" impact on the environment, but at I document pursuant to applicable legal standa based on the earlier analysis as described on is required, but it must analyze only the effect	east one rds, and attache	effect (1) has been adequately ar (2) has been addressed by mitiga d sheets. An ENVIRONMENTAL I	alyzed tìon me	in an earlier asures	
I find that although the proposed project could potentially significant effects (a) have been are pursuant to applicable standards and (b) have NEGATIVE DECLARATION, including revision proposed project, nothing further is required.	alyzed i been a	n an earlier EIR or NEGATIVE DE voided or mitigated pursuant to tha	CLARA at earlie	TION r EIR or	
Dem Camo	)	(	October	13, 2004	
Signature /			Date		- 100.00
Gerri Caruso			Dity of S	Sunnyvale	

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Project #: 2004-0766
Project Address: 1522 Lewiston Drive
Applicant: Cupertino Union School District

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			Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
1.	ΑE	STHETICS. Would the project:					
	a.	Have a substantial adverse effect on a scenic vista?				$\boxtimes$	2, 94
	b.	Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?					2, 94
	C.	Substantially degrade the existing visual character or quality of the site and its surroundings?					2,94
	d.	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?					2, 94
2.	<ul> <li>AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:</li> </ul>						
	a.	Conflict with or obstruct implementation of the applicable air quality plan?				$\boxtimes$	3, 94, 100, 111
	b.	Violate any air quality standard or contribute substantially to an existing or projected air quality violation.					3, 94, 100, 111
	C.	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				$\boxtimes$	3, 96, 97, 100, 111
	d.	Expose sensitive receptors to substantial pollutant concentrations?				$\boxtimes$	62. 63. 111. 112
	e.	Create objectionable odors affecting a substantial number of people?					111. 112
3.	BIC	DLOGICAL RESOURCES:					
	a.	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?				$\boxtimes$	2, 94, 111, 112, 109

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4.

5.

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		Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source	
b.	Have a substantially adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S Wildlife Service?				$\boxtimes$	2, 94, 111, 112, 109	
C.	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				$\boxtimes$	2, 94, 111, 112, 109	
d.	Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?				$\boxtimes$	2, 94, 111, 112, 109	
e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				$\boxtimes$	2, 94, 111, 112, 109	
f.	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan?					41,94, 111, 112	
CU	LTURAL RESOURCES. Would the project:						
a.	Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?				$\boxtimes$	10, 42, 60, 61, 94, 111	
b.	Cause a substantial adverse change in the significance of an archaeological resources pursuant to Section 15064.5				$\boxtimes$	10, 42, 94	
C.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?					10, 42, 94, 111	
d.	Disturb any human remains, including those interred outside of formal cemeteries?				$\boxtimes$	2, 111, 112	
	ND USE AND PLANNING. Would the ject:						
a.	Physically divide an established community?				$\boxtimes$	2, 11, 12, 21, 28	

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Project #: 2004-0766
Project Address: 1522 Lewiston Drive
Applicant: Cupertino Union School District

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		-					
			Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
	b.	Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?					31, 28, 111
	C.	Conflict with any applicable habitat conservation plan or natural communities conservation plan?				$\boxtimes$	2, 41, 94, 111
6.	MI	NERAL RESOURCES. Would the project:					
	a.	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?					2, 94
	b.	Result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?					2, 94
7.	NO	ISE. Would the project result in:					
	a.	Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				$\boxtimes$	2, 16, 26, 94, 111, 112
	b.	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				$\boxtimes$	2, 16, 26, 94, 111, 112
	C.	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?					2, 16, 26, 94, 111, 112
	d.	A substantially temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?					See disc.
8.		PULATION AND HOUSING. Would the ject:					
	a.	Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				$\boxtimes$	2, 94
	b.	Displace substantial numbers of existing housing, necessitating the construction of					2, 11, 111, 112

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Project #: 2004-0766

projects, and the effects of probable future

projects)?

Project Address: 1522 Lewiston Drive E11984 Applicant: Cupertino Union School District No Impact Source replacement housing elsewhere? Displace substantial numbers of people, C. 2, 11, 111, 112 X necessitating the construction of replacement housing elsewhere? 9. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Schools? 2, 111, 112 а 26, 65, 66, 103, 104 Police protection? Fire protection? 26, 65, 66, 103, 104 d. Parks? 2, 111, 112 e. Other services? 111 10. MANDATORY FINDINGS OF SIGNIFICANCE Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife 2, 10, 26, population to drop below self-sustaining levels, threaten to eliminate a plant or  $\boxtimes$ 42, 59, 60, 61, animal community, reduce the number or 111, 112 restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental 1, 2, 111, 112  $\bowtie$ effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current

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	oject Address: 1522 Lewiston Drive oplicant: Cupertino Union School Distr -	rict				ELI	984
		Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source	
c.	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				$\boxtimes$	111, 112	
11. GE	OLOGY AND SOILS. Would the project:					·	
a.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:						
	<ol> <li>Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.</li> </ol>					UBC, UPC, UMC, NEC	
	ii) Strong seismic ground shaking?				$\boxtimes$	16	
	iii) Seismic-related ground failure, including liquefaction?				$\boxtimes$	ű	
	iv) Landslides?				$\boxtimes$	а	
b.	Result in substantial soil erosion or the loss of topsoil?					14	
c.	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?					и	,
ď.	Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial risks to life or property?				$\boxtimes$	er	
e.	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				$\boxtimes$	и	

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	<del>-</del>					E11984
		Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
	FILITIES AND SERVICE SYSTEMS. Would eproject:					
a.	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				$\boxtimes$	2, 20, 24, 87, 88, 89, 90, 111, 112
b.	Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?					2, 20, 24, 25, 87, 88, 89, 111, 112
c.	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				$\boxtimes$	2, 20, 24, 25, 87, 88, 89, 111, 112
d.	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				$\boxtimes$	2, 20, 24, 25, 87, 88, 89, 111, 112
e.	Result in a determination by the wastewater treatment provider which services or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?					2, 20, 24, 25, 87, 88, 89, 111, 112
f.	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				$\boxtimes$	2, 22, 90, 111, 112
g.	Comply with federal, state, and local statues and regulations related to solid waste?				$\boxtimes$	2, 22, 90, 111, 112
	ANSPORTATION/TRAFFIC. Would the pject:					
a.	Cause an increase in the traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?				$\boxtimes$	2, 12, 71, 75-77, 111, 112
b.	Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				$\boxtimes$	2, 12, 71, 75-77, 80, 84, 111, 112

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	Aŗ	pplicant: Cupertino Union School Dist.	rict					1984
			Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source	
	C.	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				$\boxtimes$	2, 111, 112, 113	
	d.	Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?					2, 12, 71, 75-77, 80, 84, 111, 112	
	e.	Result in inadequate emergency access?				$\boxtimes$	2, 111, 112	
	f.	Result in inadequate parking capacity?				$\boxtimes$	37, 111	
	g.	Conflict with adopted policies or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				$\boxtimes$	2, 12, 81, 111, 112	
14.		ZARDS AND HAZARDOUS MATERIALS. uld the project?						
	a.	Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?				$\boxtimes$	UFC, UBC, SVMC	
	b.	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?				$\boxtimes$	UFC, UBC, SVMC	
	C.	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an exiting or proposed school?					UFC, UBC, SVMC	
	d.	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?				$\boxtimes$	UFC, UBC, SVMC	
	e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?					UFC, UBC, SVMC	
	f.	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?					UFC, UBC, SVMC	

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Project Address: 1522 Lewiston Drive Applicant: Cupertino Union School District

E11984 Less than Sig. With Mitigation Source Impair implementation of, or physically UFC, interfere with an adopted emergency  $\boxtimes$ UBC, SVMC response plan or emergency evacuation Expose people or structures to a significant risk of loss, injury or death involving UFC, wildland fires, including where wildlands UBC, are adjacent to urbanized areas or where SVMC residences are intermixed with wildlands 15. RECREATION\ a. Would the project increase the use of existing neighborhood or regional parks or  $\boxtimes$ 2, 18, other recreational facilities such that 111, 112 substantial physical deterioration of the facility would occur or be accelerated? Does the project include recreational facilities or require the construction or  $\boxtimes$ 2, 18, 111, 112 expansion of recreational facilities which might have an adverse physical effect on the environment? 16. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project: Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps Xprepared pursuant to the Farmland 94 Mapping and Monitoring Program of the California Resources Agency to nonagricultural use? Conflict with existing zoning for agricultural b. 94 use, or a Williamson Act contract? Involve other changes in the existing environment which, due to their location or  $\boxtimes$ 94 nature, could result in conversion of Farmland, to non-agricultural use 17. HYDROLOGY AND WATER QUALITY. Would the project: Violate any water quality standards or  $\boxtimes$ 2, 24, 25, 111, 112 waste discharge requirements?

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Project Address: 1522 Lewiston Drive
Applicant: Cupertino Union School District

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		Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source	
b.	Substantially degrade groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?					2, 24, 25, 111, 112	
c.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation onor off-site?				$\boxtimes$	2, 24, 25, 111, 112	
d.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner which would result in flooding on- or off site?				$\boxtimes$	2, 24, 25, 111, 112	
е.	Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?					2, 24, 25, 111, 112	
f.	Otherwise substantially degrade water quality?				$\boxtimes$	2, 24, 25, 111, 112	
g.	Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				$\boxtimes$	2, 24, 25, 111, 112	
h.	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				$\boxtimes$	2, 24, 25, 111, 112	
i.	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				$\boxtimes$	2, 24, 25, 111, 112	
j)	Inundation by seiche, tsunami, or mudflow?				$\boxtimes$	2, 24, 25, 111, 112	

Discussion:

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Completed By: Gerri Caruso

Date: 10/13/04